

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

MICHAEL RAY SAMMONS

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00319

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

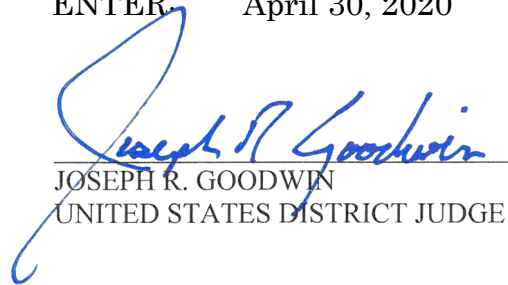
**MEMORANDUM OPINION AND ORDER**

This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 31, 2020, Magistrate Judge Eifert submitted the Proposed Findings of Fact and Recommendation (“PF&R”), [ECF No. 16], recommending the court grant Plaintiff’s motion for judgment on the pleadings, to the extent that it requests remand, [ECF No. 13]; deny Defendant’s request to affirm the decision of the Commissioner, [ECF No. 14]; and dismiss this action from the docket. To date, no objections to Magistrate Judge Eifert’s PF&R have been filed, and the time period for the filing of objections has passed.

Accordingly, the court **ADOPTS** and **INCORPORATES** herein the PF&R. For the reasons stated, the court **GRANTS** Plaintiff’s motion for judgment on the

pleadings, to the extent that it requests remand, [ECF No. 13]; **DENIES** Defendant's request to affirm the decision of the Commissioner, [ECF No. 14]; and **DISMISSES** this action from the court's docket. The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 30, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE